

SENATE BILL 786

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11r2660
CF 11r2209

By: **Senators Montgomery and Forehand**
Introduced and read first time: February 4, 2011
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health – Newborn Screening Program – Critical Congenital Heart Disease**

3 FOR the purpose of requiring that the Department of Health and Mental Hygiene’s
4 Newborn Screening Program include screening for critical congenital heart
5 disease.

6 BY repealing and reenacting, with amendments,
7 Article – Health – General
8 Section 13–111
9 Annotated Code of Maryland
10 (2009 Replacement Volume and 2010 Supplement)

11 Preamble

12 WHEREAS, Congenital heart disease is the most common birth defect and
13 affects approximately eight out of every 1,000 infants each year; and

14 WHEREAS, More than 36,000 infants are born with congenital heart disease
15 each year in the United States; and

16 WHEREAS, Congenital heart disease is the leading cause of death for infants
17 born with a birth defect despite survival rates now approaching 96% for all affected
18 children; and

19 WHEREAS, A major cause of infant mortality as a result of congenital heart
20 disease is that a significant number of children affected are not detected as having
21 heart disease in the newborn nursery; and

22 WHEREAS, An effective newborn screening mechanism for congenital heart
23 disease before newborns leave the nursery can reduce infant mortality; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, Pulse oximetry has been shown to be an effective screening test to
2 detect congenital heart disease before infants leave the newborn nursery; and

3 WHEREAS, Children's National Medical Center has worked with Holy Cross
4 Hospital to become leaders in the implementation of pulse oximetry screening in
5 community nurseries; and

6 WHEREAS, The Secretary of Health and Human Services' Advisory Committee
7 for Heritable Disorders in Newborns and Children recommended the addition of
8 screening for critical cyanotic congenital heart disease to the core panel for universal
9 screening of all newborns in the United States; now, therefore,

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article – Health – General**

13 13–111.

14 (a) The Department shall establish a coordinated statewide system for
15 screening all newborn infants in the State for certain hereditary and congenital
16 disorders associated with severe problems of health or development, except when the
17 parent or guardian of the newborn infant objects.

18 (b) Except as provided in § 13–112 of this subtitle, the Department's public
19 health laboratory is the sole laboratory authorized to perform tests on specimens from
20 newborn infants collected to screen for hereditary and congenital disorders as
21 determined under subsection (d)(2) of this section.

22 (c) The system for newborn screening shall include:

23 (1) Laboratory testing and the reporting of test results; [and]

24 (2) Follow-up activities to facilitate the rapid identification and
25 treatment of an affected child; **AND**

26 **(3) SCREENING FOR CRITICAL CONGENITAL HEART DISEASE.**

27 (d) In consultation with the State Advisory Council on Hereditary and
28 Congenital Disorders, the Department shall:

29 (1) Establish protocols for a health care provider to obtain and deliver
30 test specimens to the Department's public health laboratory;

31 (2) Determine the screening tests that the Department's public health
32 laboratory is required to perform;

1 (3) Maintain a coordinated statewide system for newborn screening
2 that carries out the purpose described in subsection (c) of this section that includes:

3 (i) Communicating the results of screening tests to the health
4 care provider of the newborn infant;

5 (ii) Locating newborn infants with abnormal test results;

6 (iii) Sharing newborn screening information between hospitals,
7 health care providers, treatment centers, and laboratory personnel; and

8 (iv) Delivering needed clinical, diagnostic, and treatment
9 information to health care providers, parents, and caregivers; and

10 (4) Adopt regulations that set forth the standards and requirements
11 for newborn screening for hereditary and congenital disorders that are required under
12 this subtitle, including:

13 (i) Performing newborn screening tests;

14 (ii) Coordinating the reporting, follow-up, and treatment
15 activities with parents, caregivers, and health care providers; and

16 (iii) Establishing fees for newborn screening that do not exceed
17 an amount sufficient to cover the administrative, laboratory, and follow-up costs
18 associated with the performance of screening tests under this subtitle.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 July 1, 2011.